



General Assembly

February Session, 2012

Amendment

LCO No. 4389

HB0542804389SR0

Offered by:

SEN. MCKINNEY, 28th Dist.

SEN. RORABACK, 30th Dist.

To: House Bill No. 5428

File No. 393

Cal. No. 374

**"AN ACT CONCERNING RESIDENTIAL STAYS AT
CORRECTIONAL FACILITIES."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 18-98e of the 2012 supplement to the general
4 statutes is repealed and the following is substituted in lieu thereof
5 (*Effective October 1, 2012, and applicable to an inmate's eligibility to earn*
6 *risk reduction credits on or after said date*):

7 (a) Notwithstanding any provision of the general statutes, any
8 person sentenced to a term of imprisonment for a crime committed on
9 or after October 1, 1994, and committed to the custody of the
10 Commissioner of Correction on or after said date, except a person
11 sentenced for a violation of section 53a-54a, 53a-54b, 53a-54c, 53a-54d,
12 53a-55, 53a-55a, 53a-56, 53a-56a, 53a-56b, 53a-57, 53a-59, 53a-59a, 53a-
13 60, 53a-60a, 53a-60b, 53a-60c, 53a-70, 53a-70a, [or] 53a-70b, 53a-72b,
14 53a-92, 53a-92a, 53a-94, 53a-94a, 53a-95, 53a-100aa, 53a-101, 53a-102,

15 53a-102a, 53a-103a, 53a-111, 53a-112, 53a-134, 53a-135, 53a-136, 53a-
16 167c, 53a-179b, 53a-179c or 53a-181c, may be eligible to earn risk
17 reduction credit toward a reduction of such person's sentence, in an
18 amount not to exceed five days per month, at the discretion of the
19 Commissioner of Correction for conduct as provided in subsection (b)
20 of this section occurring on or after April 1, 2006.

21 (b) An inmate may earn risk reduction credit for adherence to the
22 inmate's offender accountability plan, for participation in eligible
23 programs and activities, and for good conduct and obedience to
24 institutional rules as designated by the commissioner, provided (1)
25 good conduct and obedience to institutional rules alone shall not
26 entitle an inmate to such credit, and (2) the commissioner or the
27 commissioner's designee may, in his or her discretion, cause the loss of
28 all or any portion of such earned risk reduction credit for any act of
29 misconduct or insubordination or refusal to conform to recommended
30 programs or activities or institutional rules occurring at any time
31 during the service of the sentence or for other good cause. If an inmate
32 has not earned sufficient risk reduction credit at the time the
33 commissioner or the commissioner's designee orders the loss of all or a
34 portion of earned credit, such loss shall be deducted from any credit
35 earned by such inmate in the future.

36 (c) The award of risk reduction credit earned for conduct occurring
37 prior to July 1, 2011, shall be phased in consistent with public safety,
38 risk reduction, administrative purposes and sound correctional
39 practice, at the discretion of the commissioner, but shall be completed
40 not later than July 1, 2012.

41 (d) Any credit earned under this section may only be earned during
42 the period of time that the inmate is sentenced to a term of
43 imprisonment and committed to the custody of the commissioner and
44 may not be transferred or applied to a subsequent term of
45 imprisonment. In no event shall any credit earned under this section be
46 applied by the commissioner so as to reduce a mandatory minimum
47 term of imprisonment such inmate is required to serve by statute.

48 (e) The commissioner shall adopt policies and procedures to
49 determine the amount of credit an inmate may earn toward a
50 reduction in his or her sentence and to phase in the awarding of
51 retroactive credit authorized by subsection (c) of this section."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>October 1, 2012, and applicable to an inmate's eligibility to earn risk reduction credits on or after said date</i>	18-98e